

Lisa Bittle Tancredi, Esq. (admitted *pro hac vice*)

Email: lisa.tancredi@wbd-us.com

Robert L. Hockenbury, Esq. (VA Bar 97675)

Email: robert.hockenbury@wbd-us.com

WOMBLE BOND DICKINSON (US) LLP

100 Light Street, 26th Floor

Baltimore, MD 21202

Telephone: (410) 545-5800

Facsimile: (410) 545-5801

*Counsel to Shore United Bank, N.A.*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(ALEXANDRIA)**

**In re:** \*

**Eagle Properties and Investments LLC,** \*

**Debtor.** \*

**Case No.: 23-10566 (KHK)**

**Chapter 11**

\* \* \* \* \*

**Shore United Bank, N.A.,** \*

\*

**Movant,** \*

\*

**v.** \*

\*

**Eagle Properties and Investments LLC,** \*

\*

**Respondent.** \*

\*

\* \* \* \* \*

**SHORE UNITED’S RESPONSE TO CHAPTER 7 TRUSTEE’S MOTION TO APPROVE  
SALE OF 1010 LYNN ST., SW, VIENNA, VA FREE AND CLEAR OF LIENS, CLAIMS  
AND INTERESTS PURSUANT TO 11 U.S.C. § 363(f) [DKT. NO. 414]**

Shore United Bank, N.A. (“Shore United”), by its undersigned counsel, files this response to the *Chapter 7 Trustee’s Motion to Approve Sale of 1010 Lynn St., SW, Vienna, VA Free and Clear of Liens, Claims and Interests Pursuant to 11 U.S.C. § 363(f)* [Dkt. No. 414] (the “Motion”), and states as follows:

1. On August 10, 2016, Eagle Properties and Investments LLC (the “Debtor”) executed that certain Line of Credit Agreement and Note (“Original Note”) with Community Bank of the Chesapeake.<sup>1</sup> The Debtor executed a Note Modification Agreement (“Modification Agreement” and together with the Original Note, the “Note”) on October 24, 2018. The Debtor’s obligations under the Note are secured by a first-priority lien on the 1010 Lynn Street property.

2. On February 28, 2024, the Court entered a Consent Order Resolving Motion of Shore United Bank, N.A. for Relief from the Automatic Stay as to Real Property known as 1010 Lynn Street SW, Vienna, Virginia [Dkt. No. 331] (the “Lift Stay Order”), granting Shore United relief from the automatic stay, provided, however, that Shore United agreed to forbear from exercising its remedies on certain conditions. While various conditions of Shore United’s forbearance have not been met, one condition was that Shore United would be paid in full in cash from the proceeds of sale of 1010 Lynn Street at closing, on or before May 28, 2024.

3. Shore United consents to the entry of an order approving the Motion so long as said order provides that (i) Shore United shall be paid the full amount of its claim at the closing of the sale of the 1010 Lynn Street property and (ii) such sale shall close by the later of (a) May 28, 2024, (b) within 20 days after approval of the Motion by the Bankruptcy Court, or (c) such date as Shore United may agree in writing.

4. Shore United reserves all of its rights under the Lift Stay Order in the event that the sale of 1010 Lynn Street does not close on the later of (a) May 28, 2024, (b) within 20 days after approval of the Motion by the Bankruptcy Court, or (c) such date as Shore United may agree.

---

<sup>1</sup> Shore United is the successor in interest by merger to Community Bank of the Chesapeake.

Dated: May 6, 2024  
Baltimore, Maryland

**WOMBLE BOND DICKINSON (US) LLP**

/s/ Lisa Bittle Tancredi

Lisa Bittle Tancredi, Esq. (admitted *pro hac vice*)

Email: lisa.tancredi@wbd-us.com

Robert L. Hockenbury, Esq. (VA Bar 97675)

Email: robert.hockenbury@wbd-us.com

100 Light Street, 26th Floor

Baltimore, MD 21202

Telephone: (410) 545-5800

Facsimile: (410) 545-5801

*Counsel to Shore United Bank, N.A.*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 6, 2024, a true and correct copy of the foregoing *Shore United's Response to Chapter 7 Trustee's Motion to Approve Sale of 1010 Lynn Street., SW, Vienna, VA Free and Clear of All Liens, Claims and Interests Pursuant to 11 U.S.C. § 363(f)* [Dkt. No. 414] and related exhibit were filed via the Court's CM/ECF system and served on all parties receiving notice via the CM/ECF system who have filed a notice of appearance in this matter.

/s/ Robert L. Hockenbury  
Robert L. Hockenbury, Esq.